

United States District Court

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIMMY LOUIS NORTHCUTT, JR.,

Defendant.

CRIMINAL COMPLAINT

Case No. 21-MJ-18-KEW

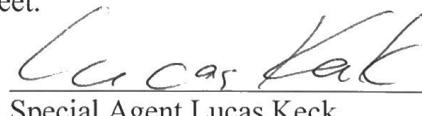
I, Special Agent Lucas Keck, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

On or about July 18, 2019, in the Eastern District of Oklahoma, defendant, **JIMMY LOUIS NORTHCUTT, JR.**, committed the crime of Felon in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(1).

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives, and that this complaint is based on the following facts:

See attached Affidavit of Special Agent Lucas Keck, which is attached hereto and made a part hereof by reference.

Continued on the attached sheet.

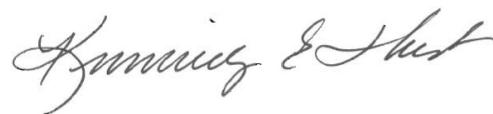


Special Agent Lucas Keck
Bureau of Alcohol, Tobacco, Firearms & Explosives
Complainant

Sworn to before me and subscribed in my presence at: MUSKOGEE, OKLAHOMA

Date: February 18, 2021

KIMBERLY E. WEST
UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer



Signature of Judicial Officer



AFFIDAVIT

Lucas Keck, being duly sworn, does depose and state the following:

AGENT BACKGROUND AND INTRODUCTION

1. Since 2015, I have been employed as a Special Agent in the Bureau of Alcohol, Tobacco, and Firearms & Explosives (“ATF”). As an ATF Special Agent, I have conducted and participated in numerous investigations concerning the illegal possession of firearms and federal controlled substance offenses. Prior to my employment with ATF, I was employed as a Special Agent with the United States Secret Service (“USSS”) from 2009 through 2015. During my employment with the USSS, I conducted and participated in investigations for counterfeit currency, to include: purchasing counterfeit currency with confidential informants and undercover agents, identity theft investigations, credit card fraud, and bank fraud in both state and federal courts in the Southern District of Texas.
2. During my employment as an ATF Special Agent, I have received specialized training and personally participated in various types of investigative activity. This includes, but is not limited to, the following: (a) physical surveillance; (b) the debriefing of defendants, witnesses, informants, and other individuals who have knowledge concerning violations of federal firearms laws; (c) undercover operations; (d) the execution of search warrants; (e) the consensual monitoring and recording of conversations; (f) electronic surveillance through the use of pen registers and trap and trace devices; (g) the court-authorized interception of both wire and electronic communications (i.e., Title III wiretaps); and (h) the handling and maintenance of evidence.

3. This Affidavit is made for the limited purpose of establishing probable cause in support of a Criminal Complaint alleging that **JIMMY LOUIS NORTHCUTT JR.**, a Native American male, DOB XX/XX/1978, SSN XXX/XX/0306 did possess a firearm, in violation of 18 U.S.C. § 922(g)(1). Based on my training and experience, I know that it is a violation of 18 U.S.C. § 922(g)(1) for any person who has been convicted of a crime punishable by term of imprisonment of more than one year to possess a firearm.

4. The statements made in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided to me by other law enforcement officers; and (c) the training and experience of myself and other law enforcement agents and officers.

FACTS SUPPORTING PROBABLE CAUSE

5. On July 18, 2019, between 7:30 pm and 7:45 pm, Brian Doherty and Randall Brown II observed **JIMMY LOUIS NORTHCUTT JR.** (“**NORTHCUTT**”) flying a drone over property located at 7304 CR 1525, Ada, OK 74820. This location is within Pontotoc County in the Eastern District of Oklahoma. A commercial marijuana farm (Center Family Farms, LLC) operated by Mr. Doherty and Mr. Brown is located on this property. Mr. Doherty and Mr. Brown believed **NORTHCUTT** was responsible for previous burglaries where items were stolen from the marijuana farm and **NORTHCUTT** was flying the drone over the property in order to prepare for future burglaries. Mr. Doherty and Mr. Brown confronted

NORTHCUTT and chased him from the property in their vehicle.

NORTHCUTT was unable to retrieve his drone and it was left somewhere on the property.

6. On July 18, 2019, Mr. Doherty decided to stay at the farm overnight in order to prevent **NORTHCUTT** or anyone else from coming back and stealing items. Mr. Brown gave Mr. Doherty a single shot .22 rifle and a box of ammunition to keep with him for protection. Mr. Brown and Mr. Doherty communicated that night using Facebook messenger. Mr. Doherty's last message was sent to Mr. Brown at about 11:40 pm.

7. On July 19, 2019, at about 12:36 am, Pontotoc County Central Dispatch received a phone call from a security guard at the Chickasaw Nation Medical Center informing them that **NORTHCUTT** was seeking treatment for a gunshot wound at their facility. **NORTHCUTT** stated he believed he shot his friend, Mr. Doherty, at a residence in Oil Center. **NORTHCUTT** had a single gunshot wound to the back. Pontotoc County Deputy Kent Kerr responded to the Chickasaw Medical Center and spoke with **NORTHCUTT**. **NORTHCUTT** gave Deputy Kerr driving directions to the shooting scene.

8. On July 19, 2019, at about 1:02 am, Deputy Kerr arrived at 7304 CR 1525, Ada, OK 74820, and located the deceased body of Brian Doherty under a wooden structure inside of the marijuana farm. Medical personal arrived on scene and confirmed Mr. Doherty was deceased.

9. On July 19, 2021, the Pontotoc County Sheriff's Office requested the assistance of the Oklahoma State Bureau of Investigation ("OSBI"). Agents

Josh Dean and John Graham responded to the scene. Agent Graham processed the scene by taking photographs, measurements, and collecting evidence. The deceased body of Mr. Doherty was located under the structure's exterior covered portion. Mr. Doherty appeared to have three (3) gunshot wounds. There was a .22 caliber rifle lying in close proximity to Mr. Doherty's body.

10. On July 20, 2019, at about 2:00 pm, Agent Dean interviewed **NORTHCUTT** at the OU Medical Center in Oklahoma City. **NORTHCUTT** provided the following information: on July 18, 2019, **NORTHCUTT** went to the property located at 7304 CR 1525, Ada, OK 74820. **NORTHCUTT** claimed he did so to mess with Krystal Doherty (Mr. Doherty's wife/**NORTHCUTT'S** former girlfriend) by flying his drone over the property. While doing so, Mr. Doherty and his brother confronted **NORTHCUTT**. Mr. Doherty mentioned something about a gun so **NORTHCUTT** left the property before being able to retrieve his drone. Just after dark, **NORTHCUTT** armed himself with a 9mm pistol and returned to the property located at 7304 CR 1525, Ada, OK 74820, in order to retrieve his drone. **NORTHCUTT** had heard they had built some sort of structure with a bedroom or an office in the middle of it. **NORTHCUTT** assumed his drone would be inside of the structure so he parked his van at the entrance to the property, walked down to where the structure was, pushed down a couple of doors which were pieces of plywood, and gained entry into the structure. **NORTHCUTT** walked into the structure and yelled for Mr. Doherty, but did not receive a response. As **NORTHCUTT** was walking next

to the enclosed structure, Mr. Doherty shot him once in the back. As **NORTHCUTT** fell to the ground, Mr. Doherty came out of the enclosed structure and was cocking his gun again. **NORTHCUTT** then shot Mr. Doherty three times. **NORTHCUTT** left the scene, returned to his van, and drove to Justin Ragland's house for help. Mr. Ragland drove **NORTHCUTT** to the Chickasaw Nation Medical Center. **NORTHCUTT** had not spoken to anyone about going out to Mr. Doherty's property, and he had no permission to be on the property.

12. On February 10, 2021, SA Keck queried **NORTHCUTT** and located records showing **NORTHCUTT** was previously imprisoned in the State of Oklahoma for sentences exceeding one year. SA Keck examined photographs of the 9mm firearm recovered in this investigation and noted the firearm is a Ruger, Model P95DC, 9mm Luger caliber, semi-automatic pistol, serial number 311-76425. SA Keck determined that this firearm was not manufactured in the State of Oklahoma and traveled in interstate commerce.

13. SA Keck believes **NORTHCUTT** was in possession of a firearm after felony convictions and was aware of his prohibited status.

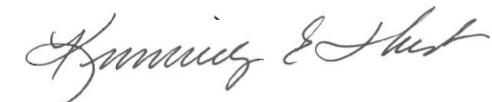
CONCLUSION

14. To the best of my knowledge and belief, all statements made in this affidavit are true and correct. Based on the foregoing facts, I believe probable cause exists for the issuance of an arrest warrant for **JIMMY LOUIS NORTHCUTT JR.** for violating 18 U.S.C. § 922(g)(1).



Lucas Keck
Special Agent, ATF

Sworn to and subscribed before me this 18th day of February, 2021.



KIMBERLY E. WEST
United States Magistrate Judge